

Arguments / Remarks

Claims 1-20 remain in the application. Claims 1-7, 10-16, 19 and 20 stand rejected. Claims 8, 9, 17 and 18 stand objected to as being dependent on other rejected claims, but would be allowable if rewritten in independent form.

1. Rejection of Claims 1-7, 10-16, 19 and 20 Under 35 USC 103

Claims 1-7, 10-16, 19 and 20 stand rejected under 35 USC 103(a) as being unpatentable over Colby et al. (US Pat. No. 6,622,271; hereinafter "Colby") in view of Gygi et al. (US Pub. No. 2003/0235156 A1; hereinafter "Gygi").

Applicants' claim 1 recites:

1. Apparatus, comprising:
computer readable media; and
program code, stored on the computer readable media, comprising:
code to define a user interface;
code to detect invalid test definition data in user input and,
upon detection of invalid test definition data, prompt a user to select
a valid data option from a set of valid data options; said prompting
being undertaken through the user interface; and
code to receive a valid data option selected through the user
interface, and to update the invalid test definition data with the valid
data option.

With respect to applicants' claim 1, the Examiner admits that Colby does not teach, "code to . . . , upon detection of invalid test definition data, prompt a user to select a valid data option from a set of valid data option[s]". However, the Examiner asserts that Gygi, in one or more of paragraphs [0048], [0050], [0051], [0068] or [0069] discloses "code to detect invalid test definition data in user input and, **upon detection of invalid test definition data, prompt a user** to select a valid data option from a set of valid data option" (emphasis added). The Examiner also asserts that it would have been obvious to combine Gygi's and Colby's teachings "to assist automated testing systems through standardized

user interface and programming interface for performing circuit tests.” Applicants disagree.

Applicants cannot find any teaching by Gygi that invalid test definition data should be “detected”, or that a user should be prompted “upon detection of invalid test definition data”. As such, applicants believe Gygi lacks any sort of teaching or suggestion that would motivate one of ordinary skill in the art to incorporate Gygi’s “parameter definition” interface into the interface 137 associated with Colby’s interpreter program 131. On the flipside, Colby lacks any sort of teaching or suggestion that would motivate one of ordinary skill in the art to modify Colby’s interpreter program 131 or rules checker program 76 to be more proactive in helping a user correct invalid test definition data.

The lack of any teaching or suggestion to combine Colby’s and Gygi’s teachings is likely a result of differences in Colby’s and Gygi’s systems. That is, Colby discloses a test system wherein an already developed “test definition” is executed, and if errors are generated during execution of the test definition, a user is given an ability to modify the test definition. See, e.g., Colby, col. 12, lines 3-29. Gygi’s system, on the other hand, is directed more to the front-end of “test vehicle” development. As a result, it enables a test developer to provide “custom commands” and “parameter definitions” that encourage or force a test system operator to select valid test parameters *before* a test vehicle is started. See, e.g., Gygi, para. [0048]-[0051]. In other words, Colby’s system is really a “curative” system, whereas Gygi’s system is a “preventive” system. As such, applicants do not see how one of ordinary skill in the art would have been motivated to combine their teachings, and applicants do not believe the invention recited in their claim 1 would have been obvious to one of ordinary skill in the art.

In response to the above arguments, the Examiner asserts that:

... Colby teaches code to detect invalid test definition data in user input (col. 4, lines 54-67 to col. 5, lines 1-4 and col. 11, lines 45-57 and col. 12, lines 20-29) such as “If the rules checker program 76 detects a problem, it will provide a message at 79 to the test definition generator 71, so that a warning message can be presented to the operator.” (col. 5, lines 1-4) Or “If a problem is detected, then a warning message is provided to the

operator so that appropriate adjustments can be made to the test definition 73.” (col. 11, lines 52-55).

6/1/2007 Office Action, pp. 4-5.

However, as previously argued by applicants, nothing in Colby’s teachings (including the above-cited teachings) suggests that a user should, “upon detection of invalid test definition data”, be prompted to select a valid data option from a set of valid data options.

Turning now to Gygi, the Examiner further responded to applicants’ above arguments by citing to the following teachings of Gygi:

... “The invention also includes a flexible command, status and parameter definition language that permits a test designer to define a wide variety of custom commands, test specific status and test parameters to be supplied by the test operator in starting a selected test vehicle. Parameters of test vehicles may be defined in the definition language. Status information unique to a particular test may also be defined by the language. In addition, entire custom commands may be defined by the language. The definitions includes types and ranges of permissible values as well as user interface information to prompt the test operator for desired values.” ([0048]) or “Fields of the parameter keyword allow the parameter to be defined as a specific type such as a numeric value or a list of enumerated values for the user to chose from (i.e., a list of options) ([0051]).

6/1/2007 Office Action, p. 5.

However, as previously argued by applicants, nothing in Gygi’s teachings (including the above-cited teachings) suggests that a user should, “upon detection of invalid test definition data”, be prompted to select a valid data option from a set of valid data options. That is, *permitting* a test designer to specify a custom command, status or test parameter is not the same as *prompting* a user to select a valid data option from a set of valid data options. Also, defining a range of permissible values, and then prompting a user for a desired value, is not a teaching or suggestion that a user should be prompted to select a desired value from the range of permissible values. Furthermore, an ability to define an initial parameter value, by selecting the value from a “list of options”, is not

equivalent to selecting the value from a list of options that is presented "upon detection of invalid test definition data".

Claim 1 is believed allowable for the above reasons.

Claims 2-13 are believed allowable, at least, because they depend from claim 1.

Claims 14-20 are believed allowable, at least, for reasons similar to why claim 1 is believed allowable.

Claims 2-5 and 16 are also believed allowable over the combined teachings of Colby and Gygi for additional reasons, as set forth below.

Claim 2, from which claims 3-5 depend, recites:

The apparatus of claim 1, wherein the program code further comprises code to compile the set of valid data options based on a context of the invalid test definition data.

With respect to applicants' claim 2, the Examiner asserts that Gygi teaches "code to compile the set of valid data options based on a context of the invalid test definition data", in one or more of paragraphs [0048], [0050], [0051], [0068] or [0069]. Applicants have reviewed these paragraphs and can find no such teaching. If the Examiner believes the teaching is there, applicants ask that the Examiner more specifically explain where the teaching is found.

In the Office Action mailed 6/1/2007, the Examiner did not 1) further explain the rejection of claim 2, or 2) respond to the arguments in the preceding paragraph. With respect to claim 2, applicants further note that the "list of options" mentioned in Gygi's paragraph [0051] is compiled from a test definition, but is not compiled from "a context" of "invalid test definition data".

Claim 2, and its dependent claims 3-5, are believed allowable for the above additional reason.

Claim 16 is believed allowable for reasons similar to why claim 2 is believed allowable.

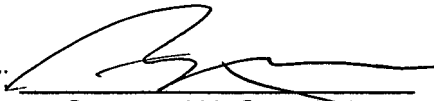
3. Allowable Claims

Applicants appreciate the Examiner's indication that claims 8, 9, 17 and 18 are allowable but for their dependence upon a rejected base claim. However, applicants prefer to leave these claims in their current form until the Examiner has considered the above remarks and arguments.

4. Conclusion

In summary, the art of record does not teach nor suggest the subject matter of applicants' claims 1-20. These claims are therefore believed to be allowable.

Respectfully submitted,
HOLLAND & HART, LLP

By: 
Gregory W. Osterloth
Reg. No. 36, 232
Tel: (303) 295-8205